

HOUSE BILL 879

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11r1838
CF SB 511

By: **Delegates Sophocleus, Barkley, DeBoy, Frank, McComas, Minnick,
Niemann, and Stocksdale**
Introduced and read first time: February 11, 2011
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Counterfeiting – Venue**

3 FOR the purpose of including the county in which an alleged counterfeit deed or other
4 instrument is filed or recorded in a certain manner as a venue to prosecute a
5 certain counterfeiting crime or other crime based on an act that establishes a
6 certain counterfeiting crime; and generally relating to counterfeit deeds or other
7 instruments.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Law
10 Section 8–601
11 Annotated Code of Maryland
12 (2002 Volume and 2010 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Criminal Law**

16 8–601.

17 (a) A person, with intent to defraud another, may not counterfeit, cause to be
18 counterfeited, or willingly aid or assist in counterfeiting any:

19 (1) bond;

20 (2) check;

21 (3) deed;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



- 1 (4) draft;
- 2 (5) endorsement or assignment of a bond, draft, check, or promissory
3 note;
- 4 (6) entry in an account book or ledger;
- 5 (7) letter of credit;
- 6 (8) negotiable instrument;
- 7 (9) power of attorney;
- 8 (10) promissory note;
- 9 (11) release or discharge for money or property;
- 10 (12) title to a motor vehicle;
- 11 (13) waiver or release of mechanics' lien; or
- 12 (14) will or codicil.

13 (b) A person may not knowingly, willfully, and with fraudulent intent
14 possess a counterfeit of any of the items listed in subsection (a) of this section.

15 (c) (1) A person who violates subsection (a) of this section is guilty of a
16 felony and on conviction is subject to imprisonment not exceeding 10 years or a fine
17 not exceeding \$1,000 or both.

18 (2) A person who violates subsection (b) of this section is guilty of a
19 misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a
20 fine not exceeding \$1,000 or both.

21 (d) Notwithstanding any other provision of law, the prosecution of an alleged
22 violation of this section or for an alleged violation of a crime based on an act that
23 establishes a violation of this section may be commenced in any county in which:

24 (1) an element of the crime occurred;

25 (2) **THE DEED OR OTHER ALLEGED COUNTERFEIT INSTRUMENT IS**
26 **RECORDED IN THE COUNTY LAND RECORDS, FILED WITH THE CLERK OF THE**
27 **CIRCUIT COURT, OR FILED WITH THE REGISTER OF WILLS;**

28 (3) the victim resides; or

1 ~~[(3)]~~ (4) if the victim is not an individual, the victim conducts
2 business.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2011.